

  
Approved for Release  
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Director for Human Resources  
Management

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Date

**DEPARTMENT OF COMMERCE  
OFFICE OF HUMAN RESOURCES MANAGEMENT**

**HUMAN RESOURCES (HR) BULLETIN #023, FY06**

**SUBJECT:** Outstanding Scholar Program

**EFFECTIVE DATE:** Upon release of the Human Resources (HR) Bulletin

**EXPIRATION DATE:** Effective until canceled or superseded

**SUPERSEDES:** Not applicable

**BACKGROUND:** The Merit Systems Protection Board (MSPB) has ruled that passing over a veteran to select a nonpreference eligible without competition through the Outstanding Scholar Program is a violation of veterans' preference rights. In light of this decision, we are providing guidance on the limited use of this authority.

**PURPOSE:** To provide HR offices with a procedure for requesting approval to select a nonpreference eligible through the Outstanding Scholar Program.

**PROCEDURES:** With the approval of the Office of Human Resources Management (OHRM), an HR office will be authorized to use the Outstanding Scholar Authority to appoint an eligible candidate. The vacant position must be announced to all sources and a competitive certificate of eligibles must be issued. If a preference eligible is on the competitive certificate, a selection must be made from the competitive list. A nonpreference eligible cannot be appointed under the Outstanding Scholar Authority if a preference eligible is on the competitive list. However, if there is no preference eligible candidate to consider, an HR office may make selections from the competitive list or use the Outstanding Scholar Authority to appoint an eligible candidate.

An HR office **must** receive approval from OHRM *prior to* making an employment offer to an outstanding scholar.

**Procedures to Request Approval for an Outstanding Scholar Appointment**

The following documentation must be forwarded to the Director for Human Resources Management:

1. Request for review, identifying efforts to staff the vacant position and the name of the selectee
2. Copy of the vacancy announced to All Sources
3. Copy of the competitive certificate, with appropriate annotations and declinations (if applicable)
4. Copy of the outstanding scholar's application/resume and transcripts

Requests should be forwarded to OHRM, HCHB, Room 5001. OHRM will review each case and provide a decision via e-mail within 24 hours of receipt.

**REFERENCES:** Dean vs. Department of Agriculture, August 5, 2005

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